

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARK S. MOON,

Plaintiff,

v.

JO ANNE BARNHART,  
Commissioner of Social Security,

Defendant.

CIVIL ACTION NO. 3:04-CV-1356

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 15th day of August, 2005, upon review of Magistrate Judge Mannion's Report and Recommendation (Doc. 16) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

- (1) The Report and Recommendation (Doc. 16) of Magistrate Judge Mannion is **ADOPTED**.
- (2) Plaintiff Mark S. Moon's appeal is **DENIED**.
- (3) The Clerk of the Court shall mark this case **CLOSED**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge